App F IX-4

Previous References

1932-33
(Mul)

162-33
File No
Serial Nos 1—5

Later References

GENERAL AND REVENUE SECRETARIAT.

Serial Nos Two

Part B for

SUBJECT

Interference of Govt. in disciplinary matters relating to the Municipal Servants under Section 46 and 47 Mul. Regn. 1906

File No 104 of 1932

Serial No	
11	Letter no A5-c 2217 / 32-33 dated 23/5/33 from the Deputy Commr Kolar district, stating that Sections 46 to 47 and chapter XII of the Mysore Rgn do not seem to contain any authority for interference by the Deputy Commr or Court in disciplinary matters relating to mil servants and requesting orders about the powers of interference with the orders of a mil m in disciplinary matters relating to their servants 1) In the present case the Dy Commr ordered the dismissal of one T Vaswamaiah Sahukar Police Peon Keeper of the Kolar Municipality after he was convicted of an offence under Sec 406 I.P.C. by the Ag Officer First Class magistrate Kolar, but the mil had passed a resolution allowing him to continue in service with a Warning. The resolution of the mil could have been suspended by the Dy Commr under Sec 174(1) of the Mysore, as unlawful. The Dy Commr instead of doing so, has referred the matter to Govt, stating that there is no provision in the Mysore, under which he could interfere in the matter in question 2) Even now, if the Dy Commr considers that the execution of the resolution of the mil is unlawful, he can proceed under Sec 174(1) of the Mysore and submit the same for the orders of Govt who may confirm or vary his order under Sec 174(2) of the said Rgn

NOTE—Contn Sheet

WD 0246 -GPB—15 000—22-8-32

L 5371 Gen Sec 1932

Mdl File No 104 of 1932 — General and Revenue Secretariat

Municipalities for orders The Law Depmt may perhaps also be consulted

SS CG 2/6/33

4) For favour of opinion Asst Secy, Law Secy with comps) VM 8/6

5) It is the rules under sec 46 (e) of the Mc Regns that determine the mode and conditions of appointing, punishing or dismissing any officer or servant of the Municipality. Under the Proviso, Govt may also make rules regarding this and if so made, they override any rules to the contrary made by a Municipality - If under any of such rules, the retention in service of ~~a~~ a convicted person ~~such~~ as Viswanatha Sastri, is prohibited, then the act of the Mc C may be said to be unlawful or contrary to law and the D-C may take action either under Sec 173A or 174 of the Regulation - If however there is no such rule, it is not possible to say how the resolution of the Mc C is unlawful and ~~so~~ consequently neither the D C nor the Govt can interfere with the discretion exercised by the Council in this behalf

29b Law

Asst Secy Legal with comps

BNP 13/6/33

6) Please note if Govt have made any such rules stated above VM 15/6

General and Revenue Secretariat — File No L 5371 / 441 — 102 of 1932

Serial No

7) No rules appear to have been framed & issued by Govt in this matter

8) Please put up a draft enquiring if the Mun' Council officers have framed rules under Sec 46 (c) of the Mil Regn

9) Submitted with a draft

10) Done

11) Letter no 13-C. 2217/32-33 dt 20-7-33 from Dy Collr, Ulsr wh reporting that no rules have been framed by the Mill under Sec 46(c) of the Regn

12) Done vide Secret's note para 8 supra

13) Letter no 13-C. 2217/32-33 dt 20-7-33 from Dy Collr, Ulsr wh reporting that no rules have been framed by the Mill under Sec 46(c) of the Regn

14) I agree with Secretary's note para 8 supra.

15) Draft letter to Dy Collr, Ulsr wh reference to the Law Secy's note in para 5 supra

16) A reply may be awaited, received & the Govt informed that in the absence of a rule framed under Sec 46 (c) of the Mun' Regulations that the retention in service of a convicted person is prohibited, the resolution of the Mill in question cannot be said to be unlawful & no interference, either by the Govt or by Govt, is possible

This matter cannot be closed.

SECTION — REV

SECRETARY — 10 AUG 1933 — To

The position in the Town Halls Regn is the same

Secretariat — 1 AUG 1933 — Collection

Note—Contd Sheet

447

File No 1/4 of 1932 38 Secretar

be left as it is what is the present practice? Was there any rule under the previous Regn for this purpose. Why Govt not make a rule under the proviso Govt is quite necessary that such persons shd not be appted by the Dist Cl. Please examine how to give effect to this under the Dist Regn

5/12
19/8

16
A search into the file-registers of the Municipal section for the last 5 years is made to find out cases of the kind, if any, reported to Govt, with no fruitful results

I, under the circs, this reference by the Collector is a test case coming up to Govt for rules

The present practice in regard to the re-election as regulated by the Govt order dated 1 3 1929. The Municipal servant in question was appointed Keeper on a salary of Rs 10 p.m. plus Commission he is appointed by Govt from out of, the Municipal Council hence under para

Dy of E

General and Revenue Secretariat — File No 104 of 1932-33

Serial No

1) 12 of the said G.O., it is only the Municipal Council who are competent to punish him. The D.C. has no locus standi and cannot enforce according to the G.

2) There is no rule or provision under the M.L. Regulation of 1816 for this purpose of the Municipality under the proviso to Sec 46, but altogether only approval of a rule made by the Municipal Council. In this case the Khan Bahadur M.L. may perhaps be requested to make rules under Sec 46 (c) & forward them to Govt for approval. When draft rules are received to the effect a provision that persons who are convicted of offences involving moral turpitude shall not be appointed or continued Servants of M.L. Cls will be inserted & rule approved.

2) There is power also vested in Govt under Sec 204 (2) (c) of the Madras Local Regulation to frame rules for regulating the matters specified among others under Sec 46 (c) of the Regulation. Draft of rule framed is sub-d for consideration also as an alternative & for sending by the Law Member in regard to the powers of reference of the D.C in such cases.

A

[1] NOTE—Contn Sheet.

WD 70-GBPM—60 000—13-8 31

447

H/ File No 104 of 1932-33

it is a point for consideration whether this case could be brought under the purview of sec 107 of the M(L&S)Act 1933 or if the scope of the section is such that the D.C. can exercise authority & control over the subordinates of a municipal council to the same extent as he is empowered in the sphere of general & revenue administration, the action of the D.C. in dismissing the Secretary may perhaps be upheld, as the D.C. is competent to dismiss inferior servants of the Municipality. The Law section may perhaps be consulted in the point

It is doubtful if the section applies to the subordinate staff. It perhaps applies to the officers of the Municipality who are subordinate to the D.C. who are Executive Officers of the Municipality

Am 4/9

22 Subs. for orders with regard thereto

15 Supra

Intn 4/9/33 AMC

23 A The draft rule proposed for consideration - It may perhaps be made applicable to cases of conviction ordered before the new rule comes into force

24 Yours

Secretary) Am 6/9

GENERAL SECRETARIAT
7 SEP 1933
No.

1 Maybe Scrutinised on law facts

K 14/9

Lawyers) Am 5/9

What is a heinous offence or an offence involving moral turpitude may be a matter

Serial No

of some doubt & difficulty - It is perhaps much better to employ language similar to that used in Sec 12 (1)(A)(a)(i) of the city Mls Act Another point also has to be considered - that is whether the conviction is to be an absolute prohibition or one which after some lapse of time may cease to disqualify as in Proviso (a) to Sec 12(1). Perhaps, it may be desirable to reserve powers to Govt to in suitable case to ~~order employment~~ sanction the employment of such persons, in which case the rule may be as follows:-

A

"No municipal council shall, except with the previous sanction of Govt, employ or continue to employ any person who is or has been ~~convicted~~ sentenced to imprisonment or whipping for an offence punishable with imprisonment for a term exceeding Six months or to transportation, such sentence not having been subsequently reversed or quashed"

Asst Secy Legl
with Comts

17/10/33

for orders

Secy (Legl)

19/10

CRETARY

19 OCT

No.

28 A I agree to this rendering of the proposed rule

2567

NOTE—Contn Sheet.

WD 70—GBPM—60 000—13-8-31

28/10

30/10

31/10

1/11

Rule re attachment of Town Mlks.

Pyl. File No 104. of 1932-33 General Sec

Subt with a draft notification

32 If approved, similar rules will be issued under the City Town Mlks regulations also

33 It does not appear necessary to make this rule have a retrospective effect the Govt may himself move in the matter if he thinks it necessary, in regard to the particular case now reported

according to the rule, the Mlk Bds in service cannot themselves continue persons who are convicted subsequent to the scope of the rule

Dre 3/11/33 AH

34 The draft notfn is submd for perusal before issue.

35 The point raised at A above is for other similar rule in the case the case of Town Mlks seems necessary.

Genl Secy - 3/11

36 The Govt may be requested to include all the three (City Town & Town) Mlks

Dre 4/11 already put up 4/11

The preamble of the draft is revised so as to include the Town Municipalities also.

A separate draft notn

GENERAL SEC 3 NOV

Rules under the Municipal Regulations

R447

[App F III—2

General and Revenue Secretariat — File No 104 of 1932-33

Serial No	
	publishing the rule in question in respect of the city municipal councils, for criticism & suggestion upto 1st Dec for the receipt of objections is also put up for approval — 39 Refer para 36 supra 7/11/33 Secy Chief Secy 10/11
	40 The draft rules may be approved Minutes Chief Secy 14/11
	41 RB 16/11
	42 16/11
	43 issued 20/11
1	To the Compiler, Bombay Gazette. Please publish in the Bombay Gazette no 3686 P/ 21/11 & dated 23 Nov 33 notifies a draft rule relating to the employment of persons who have been sentenced to imprisonment &c

CHIEF SECRETARY 15 NOV. 1933

Council Second Chamber of Council 16 No 3102

NOTE—Contn Sheet

WD 70—GBI M—60 000—13 8 31

44

Jud File No 162 of 1933 — 34 General Sec.

under sec 49(e) of the city motor regulation and rights & objections thereto before 15th Dec 1933.

To the Computer, Hyderabad
No L 3687 Dy 24.11.33
Whipping the issue of a rule under sec 29(2) & 46(e) of the Motor Vehicles Regulations, 1933 to the effect that no municipal Council shall, except with the sanction of Govt, employ or continue to employ a person who has been sentenced to imprisonment or whipping for an offence punishable with imprisonment etc

To the D.C. Krishna Dist
& Dies of other dists.
No L 3688-95 Dy 24 11 33
Dy for info a copy of 2 supra

✓ 16.12.33
✓ 24/11/33

P.T.O

2667

General and Revenue Secretariat | File No 162 of 1933-34. [App F III—2

Serial No 3

From The D.C. Kolar
No A3. C 2768/32-33 Dt. 1.12.33

with reference to his letter dated 24.11.33, states that the case referred to by him does not come under the purview of the above rule nor is the point of doubt covered by the new rule & requests orders regarding the powers of interference of Govt & D.C.s with disciplinary matters relating to municipal servants.

4 The D.C. Kolar has raised the question of the applicability of the new rule to the case about which he has reported in his letter dated 23.5.33.

5 He has not sent a copy of the judgment of the case. Neither has he furnished details of the offence committed by the panchayat in question. In the absence of these facts, it is not possible to say whether the case is covered by the new rule or not. At any rate it was thought that the new rule would be sufficient, as it lays down that the Panchayat shall not continue any person who is or has been sentenced to imprisonment for an offence involving moral turpitude. It was framed this

NOTE—Contn Sheet

WD 0434—GPB—15 000—12-10-33

rule, it seems best to leave the matter to the municipal council concerned. The D.C will have to be informed that neither the D.C. nor the Govt can interfere in such matters except under rules framed by the Municipality & approved by the Govt under sec 46 (e) of the Municipalities regulation 1933 & that the mdr. bl. may be asked to state if the case of the pound keeper may be brought under the purview of the rule now cited. Even otherwise, as the Municipal Council concerned is competent to deal with or punish its servants under paras 1 and 11 of the G.O. dated 1.3.1927 (Flag X), an appeal lying against the orders of the mdr. bl. only to Govt under para 12 of the said G.O.: the D.C. has no locus standi to deal with the case.

46 It is therefore for orders if

(1) further information may be called for in respect of the case

or (2) the D.C. may be informed that the matter may be left to the mdr. bl. to deal with the case as they think best under the rule

or (3). the D.C's attention invited to the G.O. dated 1.3.1927 and no action need be taken, unless the case specifically falls

Serial No

under the provisions of the rules now framed, after obtaining Sanction thereto if the Government be satisfied

from 9/12/33 AM (sen' secy)

47 Please speak to D.E. in raising necessary communications

29/12

48 A draft reply to the above is submitted herewith as directed

(sen' secy)

4 Number

30

49 Sp 31/1

4 To the Deputy Comr., Kohat Dist. No 2600/G dated 2nd February 1934

In reply to (3) it is stated that the rules issued in (2) supra apply to cases of the kind referred to by him and that each case may be dealt with on its merits as it arises and no further orders are necessary

31/1 Issued

NOTE—Contn Sheet

WD 0434—GPB—15 000—12-10-33

2667

Int File No 16 2 of 1933-34.

General and Revenue Secretariat

Serial No

The draft rules issued in notn no 2 3686/ml 16-337 dy 24/11 Nov 33 have to be issued finally, as the period for the receipt of objections etc is over. No objections have been received. A draft notn is submitted for approval - according - Rejc paras 3&4 supra For approval

Jha 10/2/34 (Chief Secy) M&K 12/2/34

CHIEF SECRETARY. 13 FEB. 1934

R. Memo RDy 15/2 RDR 10/2/34

OFFICE OF THE SECOND MEMBER COUNCIL. 15 FEB 1934 No 5206

J-102 16/2 Joore M&K 19 2 34

To The compiler Mymensingh. no 2645 dy 20/2/34 with the rule for regulating the appointment of Mrs Persons under section 49 (e) of the City Colleges Act, 1933

To The President, Mymensingh Municipality, Comilla, Bhowanipur Municipality no 2645-53 dy 20-2-34 for a copy of S.O. supra for info

J B 20/2/34

Mr 104-32-11

In all future correspondence please quote this
No A5-C.2217/32-33.
Encls 2.

OFFICE OF THE DEPUTY COMMISSIONER, KOLAR DISTRICT

Dated, Kolar, the 23rd May *193* 3

5371

FROM T.G.Rama Iver,Esq.,B.A.,
~~A.V.RAMANATHAN, Esq.,~~
Deputy Commissioner,
Kolar District

GENERAL SECRETARIAT 25 MAY 1933 No.

H.V.Ramaswami,Esq.,M.A.,B.L.,
SECRETARY TO GOVERNMENT OF MYSORE,
General *Department,*
Bangalore

20 MAY 1933 L.R.C. BRANCH

SIR,

I have the honour to enclose herein a copy of the letter No.1258 of 32-33 dated 4-5-1933 received from the President, Town Municipal Council, Kolar, and to state that one T.Viswanatha Sastry, Cattle - Pound-keeper of the Municipality was convicted of an offence under Section 406 I.P.C. by the Ex-officio 1st Class Magistrate,Kolar. On receipt of a copy of the judgment, I ordered the dismissal of the official in question on 21-3-1933. On the other hand, the Municipal Council have resolved in their meeting held on 29-4-33 (copy enclosed) that the official may be continued in service with a warning. The Order of the Municipal Council seems to be open to serious objection as it authorises the continuance in service of an official convicted in a Criminal Court for an offence involving moral turpitude On the other hand, Sections 46 and 47 and Chapter XII of the Municipal - Regulation do not seem to contain any authority for interference by the Deputy Commissioner or Government in disciplinary matters relating to Municipal servants.

As the matter involves a very important question of principle, I have brought it to the notice of Government for favour of orders - about the powers of interference with the orders of a Municipal - Council in disciplinary matters relating to their servants.

I have the honour to be,
Sir,
Your most obedient servant,
V.Ramanathan
Deputy Commissioner,
Kolar District.

A.R.23533.

...ated 4th March..., from the President, Town
to the Deputy Commissioner, Kolar District.

Reference to your Memo No.A5-P.R.237 of 32-33 dated 23-3-1933 - ...ting that T.Viswanatha Sastri, Pound Keeper of this Municipality may dismissed from service as he has been convicted by the Treasury Assistant ...missioner and Ex-officio First Class Magistrate, Kolar, under Section 406 I.P.C., I have the honour to state that the subject was placed before the - Municipal Council at their meeting held on the 29th ultimo for their - consideration and it was resolved that he may be warned this time as this is the first time that he committed a criminal offence and that he may be - dismissed if he fails to improve his conduct.

A copy of the resolution of the Municipal Council on the subject is herewith submitted for favour of perusal.

===

" C O P Y "

Deputy Commissioner,
Kolar District.

A.R.23533.

Town Municipal Council
Kolar

For General Secretary to Govt

C.M.

PROCEEDINGS OF THE KOLAR TO[illegible]UNICIPAL COUNCIL MEETING

[illegible]-33

× ×　　　　× ×

Subject No 11 (3) [illegible] 406 [illegible] 23-3-33 [illegible] P R 237/32-33 [illegible]

Resolution [illegible]

Sd/- R V [illegible]
President

× ×　　　　× ×　　　　× ×

Copy

[signature]
President,
Town Municipal Council
Kolar

[illegible] obedient servant,

[signature]
For General Secretary to Govt.

c.n.

HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No L 8458/Rul 106-32-12 — *Dated, Bangalore,* 26th June 1933.

From

The *General Secretary to the Government of His Highness the Maharaja of Mysore*

To

The Deputy Commissioner,
Kolar District, Kolar.

Sir,

With reference to your letter No.A5-C-2217/32-33 dated 23rd May 1933 requesting orders about your powers of interference with the orders of a Municipal Council in disciplinary matters relating to Municipal servants, I am directed to enquire if the Kolar Municipal Council have framed rules under section 46 (e) of the Municipal Regulation and if so to request that a copy of the same may be sent for reference.

I have the honor to be,

Sir,

Your most obedient servant,

Aswathappa

For General Secretary to Govt.

c.n.

Appendix F G—1]

SUBJECT

Section Jud

File No ~~Legis 2~~

Serial No ~~12~~

Diary No of letter replied to L5371

No L 8658

To

The Deputy Commissioner

Kolar district

Kolar

General and Revenue Secretariat

(Jud)

the *193*

Date of issue 27/6/33

Signed by Mohd Saleha Rao.

Sir.

With reference to your letter no A5 C 2217/32-33 dated 23/5/33 regarding orders about your powers of interference with the orders of a municipal council in disciplinary matters relating to municipal servants, I am directed to ~~request you to be~~ enquire if the Kolar Board have framed rules under sec 46(c) give reference if so ~~request that~~ a copy give same may be sent for the reference

I have etc

List of enclosures

Copied by

Examined by

for Secretary to Govt

WD 0253—GPB—15,000—26-8-32

Ml 104-32-13

In all future correspondence please quote this
No A5-C.2217/32-33.
Encls

OFFICE OF THE DEPUTY COMMISSIONER,
KOLAR DISTRICT

Dated, Kolar, the 29th July *1933*

447

FROM

T G RAMA IYER, Esq., B A,
Deputy Commissioner,
Kolar District

GENERAL SECRETARIAT
24 JULY 1933

To

S.N.Appanna Iyengar,Esq.,B.A.,B.L.,
Secretary to Government of Mysore,
General Department,
Bangalore.

SIR,

With reference to your letter No.L.8458/Ml.104-32-12 dated 26/27th June 1933, calling for a copy of the rules framed if any, by the Municipal Council, Kolar, under section 46 (e) of the Municipal Regulation, I have the honour to reply in the negative.

I have the honour to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Kolar District.

A.R.20733.

In all future correspondence please quote this
No. A.5.C.2763/32-33
Encls

OFFICE OF THE DEPUTY COMMISSIONER,
KOLAR DISTRICT

Dated, Kolar, the 9th October *1933.*

1747

FROM

I G. RAMA IYER, ESQ, B A,
Deputy Commissioner,
Kolar District

To H.V.Ramaswami,Esq., M.A., B.L.,
General Secretary to the Government of Mysore
Bangalore.

GENERAL BRCH.,
11 OCT 193

SIR,

In inviting your reference to my letter dated 25th May 1933 regarding the interference by the Deputy Commissioner or Government in disciplinary matters relating to Municipal servants under Sections 46 and 47 Municipal Regulation 1906, I have the honor to request that orders of Government may kindly be obtained and communicated at a very early date.

I have the honor to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Kolar District.

9

L3686/NE-152-33-1

9 24-11-33

G R S App F G 3

GENERAL AND REVENUE SECRETARIAT

(*Continuation sheet draft form*)

Notification

The following draft rule regulating the appointment of officers & servants to municipal Councils in City municipalities which the Govt proposes to make, in exercise of the powers vested under Secs 49 (c) and 228 (2) (c) of the Bangalore city Municipalities Regulation, 193 and all other powers in this behalf, is published under Subsection (4) of sec 228 of the said Regulation for the information of the persons likely to be affected thereby and notice is hereby given that the draft rule will be taken into consideration on or after 1st Dec 1933 Any objection or suggestion which may be received from any

WD 0255—GPB—10,000—23 8 32

person into respect
proposed rule before the
aforesaid date will be
taken into consideration -

Draft rule

"No city municipal council
shall, except with the previous
sanction of Govt, employ or
continue to employ any
person who is or has been
sentenced to imprisonment or
whipping for an offence
punishable with imprisonment
for a term exceeding six
months or to banishment,
such sentence not having
been subsequently reversed or
quashed"

By order

[illegible] Govt
for [illegible]

The compiler, Weekly Gazette
in Part IV of the Gazette
Supply of 25 copies of this issue is
copies to the President, Municipality
for the Municipality

No L3686/2nd 162-32-1

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

General and Revenue Secretariat,

Dated, Bangalore, 21st November 1933.

24

Notification.

The following draft of a rule regulating the appointment of officers and servants to Municipal Councils in City Municipalities which the Government propose to make, in exercise of the powers vested under Sections 49 (c) and 228 (2) (c) of the Mysore City Municipalities Regulation, 1933 and all other powers in this behalf, is published, under sub section (4) of Section 228 of the said Regulation for the information of the persons likely to be affected thereby, and notice is hereby given that the draft rule will be taken into consideration on or after the 15th December 1933. Any objection or suggestion which may be received from any person with respect to the proposed rule before the aforesaid date will be taken into consideration:-

Draft Rule.

" No City Municipal Council shall, except with the previous sanction of Government, employ or continue to employ any person who is or has been sentenced to imprisonment or whipping for an offence punishable with imprisonment for a term exceeding six months or to transportation. such sentence not having been subsequently reversed or quashed.

By order,

Asst. Secretary to Government.

To

The Compiler, Mysore Gazette, for publication in Part IV of the Gazette and supply of 25 copies to this office and 5 copies to the President, Mysore City Municipal Council, and the Municipal Commissioner, Bangalore City.

P.H.

Commissioner, Bangalore City.

P.W.

Ecl

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

3686/Rul 162-33-1 General and Revenue Secretariat,

Dated, Bangalore, 21st November 1933.

2616

Notification.

The following draft of a rule regulating the appointment of officers and servants to Municipal Councils in City Municipalities which the Government propose to make, in exercise of the powers vested under Sections 49 (e) and 228 (2) (c) of the Mysore City Municipalities Regulation, 1933 and all other powers in this behalf, is published, under sub section (4) of section 228 of the said Regulation for the information of the persons likely to be affected thereby, and notice is hereby given that the draft rule will be taken into consideration on or after the 15th December 1933. Any objection or suggestion which may be received from any person with respect to the proposed rule before the aforesaid date will be taken into consideration:-

Draft Rule.

" No City Municipal Council shall, except with the previous sanction of Government, employ or continue to employ any person who is or has been sentenced to imprisonment or whipping for an offence punishable with imprisonment for a term exceeding six months or to transportation, such sentence not having been subsequently reversed or quashed.

By order,

Ajubba Rao

for Chief Secretary to Government.

for

To

The Compiler, Mysore Gazette, for publication in Part IV of the Gazette and supply of 25 copies to this office and 5 copies to the President, Mysore City Municipal Council, and the Municipal Commissioner, Bangalore City.

P.H.

Commissioner, Bangalore City.

P.H.

L 3686/Rev 162-33-1

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

General and Revenue Secretariat,

Dated, Bangalore, 21st November 1933.

Notification.

The following draft of a rule regulating the appointment of officers and servants to Municipal Councils in City Municipalities which the Government propose to make, in exercise of the powers vested under Sections 49 (e) and 228 (2) (c) of the Mysore City Municipalities Regulation, 1933 and all other powers in this behalf, is published, under sub section (4) of Section 228 of the said Regulation for the information of the persons likely to be affected thereby, and notice is hereby given that the draft rule will be taken into consideration on or after the 15th December 1933. Any objection or suggestion which may be received from any person with respect to the proposed rule before the aforesaid date will be taken into consideration:-

Draft Rule.

" No City Municipal Council shall, except with the previous sanction of Government, employ or continue to employ any person who is or has been sentenced to imprisonment or whipping for an offence punishable with imprisonment for a term exceeding six months or to transportation, such sentence not having been subsequently reversed or quashed. "

By order,

Asubba Rao

for Chief Secretary to Government.

To

The Compiler, Mysore Gazette, for publication in Part IV of the Gazette and supply of 25 copies to this office and 5 copies to the President, Mysore City Municipal Council, and the Municipal Commissioner, Bangalore City.

P.H.

ISCRpts 2 88 L 3687 / AL-162-33-2 dy 24-11-33

Notification.

In exercise of the powers vested under Section 204 (2) (c) of the Mysore Town Municipalities Regulation 1933, the Government of His Highness the Maharaja of Mysore are pleased to make the following rule for regulating the appointment of officers and servants ~~of Town Municipal Councils~~ under Section 146 (e) ~~thereof~~ of the said Regulation, respectively:—

"No Municipal Council shall, except with the previous sanction of Government, employ or continue to employ any person who is or has been sentenced to imprisonment or whipping for an offence punishable with imprisonment for a term exceeding six months or to transportation, such sentence not having been subsequently reversed or quashed."

By order,

General Secretary to Government.

To

The Compiler, Mysore Gazette,
for publication in Part IV A

Memo no: L 3688-95 dy 24/11/33

NOTIFICATION

No L 3686—Ml 162-33-1, dated Bangalore, 21st—24th November 1933

The following draft of a rule regulating the appointment of officers and servants to Municipal Councils in City Municipalities which the Government propose to make, in exercise of the powers vested under Sections 49 (*e*) and 228 (2) (*c*) of the Mysore City Municipalities Regulation, 1933 and all other powers in this behalf, is published, under sub-section (4) of Section 228 of the said Regulation, for the information of the persons likely to be affected thereby, and notice is hereby given that the draft rule will be taken into consideration on or after the 15th December 1933 Any objection or suggestion which may be received from any person with respect to the proposed rule, before the aforesaid date will be taken into consideration —

Draft Rule

"No City Municipal Council shall, except with the previous sanction of Government, employ or continue to employ, any person who is or has been sentenced to imprisonment, or whipping for an offence punishable with imprisonment for a term exceeding six months or to transportation, such sentence not having been subsequently reversed or quashed"

By Order,
R Ranga Rao,
Chief Secretary to Government

Mr-162-33-3

L 71 mr 162-33-2-

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

General and Revenue Secretariat,

Dated, Bangalore, 21st November 1933.
24 K

Notification.

In exercise of the powers vested under Section 106 (2) (d) of the Mysore Minor Municipalities Regulation, 1933 and under Section 204 (2) (c) of the Mysore Town Municipalities Regulation, 1933, the Government of His Highness the Maharaja of Mysore are pleased to make the following rule for regulating the appointment of officers and servants under Section 29 (2) and under Section 46 (c) of the said Regulations in ~~Town~~ Minor and ~~Minor~~ Town Municipal Councils respectively:-

" No Municipal Council shall, except with the previous sanction of Government, employ or continue to employ any person who is or has been sentenced to imprisonment or whipping for an offence punishable with imprisonment for a term exceeding six months or to transportation, such sentence not having been subsequently reversed or quashed.

By order,

Asubba Rao

for General Secretary to Government.

To

The Compiler, Mysore Gazette, for publication, in Part IV and for supply of 100 copies to the Secretariat and 20 copies to each of the Deputy Commissioners of Districts.

P.H.

AS C 2763/32-33
dated 9.10-33 for information
and guidance as copy

Mr 162-33-3

In all future correspondence please quote this
No K.3.C.2763/32-33
Encls

OFFICE OF THE DEPUTY COMMISSIONER, KOLAR DISTRICT

Dated, Kolar, the 1st December *193* 3.

(190)

2667

FROM

T.G. Rama Iyer, Esq., B.A., B.L.,
Deputy Commissioner,
Kolar District

To

H.V.Ramaswami, Esq., M.A., B.L.,
Secretary to the Government of Mysore,
General Department,
Bangalore.

GENL SECRETARY 4 DEC 1933 No L 2 3 14/1

SIR,

With reference to your Memo No.L.3088-95 dated 24th November 1933 communicating the Government notification No.L.3687/M1.162-33-1 dated 21/24th November 1933 regarding the regulation of the appointment of Municipal officers and servants under the new Regulation 1933, I have the honor to state that the case referred to by me does not come under the purview of the above rule under the new Municipal Regulation nor is the point of doubt covered by the new rule.

I beg to invite kind reference to my letter dated 25th May 1933 wherein I have applied for favour of a ruling of Government regarding the powers of interference of Government and the Deputy Commissioner with disciplinary matters relating to Municipal servants.

I have the honor to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Kolar District.

L.S.R

NOTIFICATION

No L 3687--Ml 162 33-2, dated Bangalore, 21st 24th November 1933

In exercise of the powers vested under Section 106 (2) (*d*) of the Mysore Minor Municipalities Regulation, 1933 and under Section 204 (2) *c*) of the Mysore Town Municipalities Regulation, 1933, the Government of His Highness the Maharaja of Mysore are pleased to make the following rule for regulating the appointment of officers and servants under Section 29 (2) and under Section 46 (*e*) of the said Regulations in Minor and Town Municipal Councils, respectively —

"No Municipal Council shall, except with the previous sanction of Government, employ or continue to employ any person who is or has been sentenced to imprisonment or whipping, for an offence punishable with imprisonment for a term exceeding six months or to transportation, such sentence not having been subsequently reversed or quashed"

By Order,

H V RAMASVAMI,
Secretary to Government,
General Departments

L 6008/ML 162-33-4

7-2-34

To The Dy Com
Kolar DC

Sir

With reference to your letter no A 3 C 2763/32-33 dt 1 12 33 I am directed to state that the rule issued in notification no L 3687/ ML 162-33-2 dt 24 11 33 applies ~~is applicable~~ to ~~cases~~ cases of the kind referred to in your letter of the 23rd May 1933 ~~and that~~ of such are no further cases ~~are necessary~~ at present necessary

Each case can be dealt with only as it arises and

regarding the interference of Govt in ~~matters~~ disciplinary matters relating to Municipal servants

I have
the
Sir
Your Obt Servt

1 Dy Sec
8/1

Ecla

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No L 6008/2-C 162-33-4 Bangalore, Dated, 2nd Feby. 1934.

From

The *General Secretary to the Government of His Highness the Maharaja of Mysore*

To

The Deputy Commissioner,
Kolar District, K o l a r.

Sir,

With reference to your letter No.A.3.c.2763/32.33 regarding the interference of Government in disciplinary matters relating to Municipal servants, I am directed to state that the rule issued with notification No.L.3687/"1 162-33-2 dated 24.11.1933, applies to cases of the kind referred to in your letter of the 23rd "ay 1933. Each case can be dealt with only as it arises and no further orders of Government are at present necessary.

I have the honour to be,
S i r,
Your most obedient servant,

Aswathappa
for General Secretary to Government.

K."."R.2/2.2.34.

Appendix F G—1]

SUBJECT

ab

Section Jud
File No 162-33
Serial No 5

Diary No of letter replied to

No L 6457

To

Notification

In exercise of the powers vested under Sec. 228 (2) (c) of the Mysore City municipalities Regulation 1933, the Govt of H.H the Maharaja are pleased to make the following rule for regulating the appointment of Officers & servants under Section 49 (c) of the said Regulation in City and Cls

No City municipal

General and Revenue Secretariat

( )

the *193*

Date of issue 23.2.'34

Signed by Dr. Dr S R Achar

List of enclosures

Copied by Wyk-W 25/2/34

Examined by

WD 0077 —G P B—15 000—8 11 33

Council shall, except with
the previous sanction of Govt
employ or continue to employ
any person who is or has been
sentenced to imprisonment
or whipping for an offence
punishable with imprisonment
for a term exceeding six
months or to transportation
such sentence not having
been subsequently reversed or
quashed

By order

Registrar

Asst Chief Secy to Govt

2. The compiler, for publication
in the Gazette is requested
that 1000 copies may be supplied to
the Secretary at 25 copies each
to the President, Members of
the Port Council, Municipal
Commissioners, Heads of
Departments, Judges
Chief Secretary to the President
Members of the Port
Council, Municipality, the Vice President for info
Bishop

Asst Secy. to Govt

Extd

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No. L.4 51/2nd 162-33-5 General and Revenue Secretariat,

Dated Bangalore 193

20th February 1933

NOTIFICATION

In exercise of the powers vested under Section 128 (2) (c) of the Mysore City Municipalities Regulation 1933, the Government of His Highness the Maharaja are pleased to make the following rule for regulating the appointment of officers and servants under Section 49 (c) of the said Regulation in City Municipal Councils :-

No City Municipal Council shall, except with the previous sanction of Government, employ or continue to employ any person who is or has been sentenced to imprisonment or whipping for an offence punishable with imprisonment for a term exceeding six months or to transportation, such sentence not having been subsequently reversed or quashed.

By order,

M. S. Krishnamachi

for Chief Secretary to Government.

To

The Compiler, Mysore Gazette, for publication in the Gazette, and with the request that 100 spare copies may be supplied to the Secretariat and 25 copies each to the President, Mysore City Municipal Council and the Municipal Commissioner, Bangalore City.

Lk.10.

Ebra

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No L6451/2nL162-33-5 General and Revenue Secretariat,

Dated Bangalore 20th February 1934
232

NOTIFICATION

In exercise of the powers vested under Section 228 (2) (c) of the Mysore City Municipalities Regulation 1933, the Government of His Highness the Maharaja are pleased to make the following rule for regulating the appointment of officers and servants under Section 49 (c) of the said Regulation in City Municipal Councils :-

No City Municipal Council shall, except with the previous sanction of Government, employ or continue to employ any person who is or has been sentenced to imprisonment or whipping for an offence punishable with imprisonment for a term exceeding six months or to transportation, such sentence not having been subsequently reversed or quashed.

By order,

M. S. Krishnaswami Iyer
Chief Secretary to Government.

To

The Compiler, Mysore Gazette, for publication in the Gazette, and with the request that 100 spare copies may be supplied to the Secretariat and 25 copies each to the President, Mysore City Municipal Council and the Municipal Commissioner, Bangalore City.

LK.LC.